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East West Bank

Electronically filed: April 14, 2011

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10 UNITED STATES BANKRUPTCY COURT
11 DISTRICT OF NEVADA

12 In re:
13 NASDAQ5, LLC,
14 Debtor.

15 Case No.: 11-11252-BAM
16 Jointly Administered with
Lead Case No.: 11-11249-BAM
Chapter 11

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18 NOTICE OF HEARING ON MOTION TO
19 DEEM CASE NO. 11-11252-BAM TO BE
20 A SINGLE ASSET REAL ESTATE CASE

21 Date of Hearing: *MAY 17, 2011*
22 Time of Hearing: *10:00 AM*

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24 TO ALL PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:
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NOTICE IS HEREBY GIVEN that a MOTION TO DEEM CASE NO. 11-11252-BAM
26 TO BE A SINGLE ASSET REAL ESTATE CASE was filed on April 14, 2011 by Secured
27 Creditor East West Bank, by and through its counsel of record, Brooks Bauer LLP. The Motion
seeks the following relief: an Order deeming the voluntary bankruptcy case initiated by Debtor
NASDAQ5, LLC, Case No. 11-11252-BAM, to be a single asset real estate case.

28 Any opposition must be filed pursuant to Local Rule 9014(d)(1), which states,

[A]ny opposition to a motion must be filed, and service of the opposition must be completed on the movant, no later than fourteen (14) days preceding the hearing date for the motion. The opposition must set forth all relevant facts and any relevant legal authority. An opposition must be supported by affidavits or declarations that conform to the provisions of subsection (c) of this rule.

NOTICE IS FURTHER GIVEN that if you do not want the Court to grant the relief

sought in the Motion, or if you want the Court to consider your views on the Motion, then you must file an opposition with the Court, and serve a copy on the person making the Motion ***no later than 14 days*** preceding the hearing date for the Motion, unless an exception applies (see Local Rule 9014(d)(3)). The opposition must state your position, set forth all relevant facts and legal authority, and be supported by affidavits or declarations that conform to Local Rule 9014(c).

If you object to the relief requested, you ***must*** file a **WRITTEN** response to this Motion with the Court. You ***must*** also serve your written response on the person that sent you this Notice.

If you do not file a written response with the Court, or if you do not serve your written response on the person that sent you this notice, then:

- The Court may ***refuse to allow you to speak*** at the scheduled hearing; and
- The Court may ***rule against you*** without formally calling the matter at the hearing.

NOTICE IS FURTHER GIVEN that the hearing on the Motion will be held before a United States Bankruptcy Judge, in the Foley Federal Building, 300 Las Vegas Boulevard South, Third Floor, Bankruptcy Courtroom No. 3, Las Vegas, Nevada 89101 on May 17, 2011 at the hour of 10:00 A.M.

DATED this 14th day of April, 2011.

BROOKS BAUER LLP

/s/Michael R. Brooks, Esq.
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1 **CERTIFICATE OF SERVICE**

2 I, the undersigned, hereby certify that I am employed in the County of Clark, State of
3 Nevada, am over the age of 18 years and not a party to this action. My business address is that
4 of Brooks Bauer LLP, 300 S. 4th Street, Suite 815, Las Vegas, Nevada 89101.

5 This is to certify that on April 14, 2011, I electronically filed the **NOTICE OF**
6 **HEARING ON MOTION TO DEEM CASE NO. 11-11252-BAM TO BE A SINGLE**
7 **ASSET REAL ESTATE CASE** with the Clerk of the Court using the CM/ECF system. Filing
8 the document using the CM/ECF system will cause electronic service of the document on the
9 parties in said action or proceeding through the Notice of Electronic Filing to the following:

10 *See, Master Service List.*

11 I certify under penalty of perjury that the foregoing is true and correct and that this
12 Certificate of Service was executed by me on the 14th day of April, 2011 at Las Vegas, NV.

13 */s/Jill M. Sallade*

14 An Employee of BROOKS BAUER LLP